

C. Campbell

IN THE COURT OF CRIMINAL APPEALS
STATE OF ALABAMA

ROY DAVID HEATH

Appellant,

VS.

STATE OF ALABAMA,

Appellee.

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CASE NO: CR-00-2143

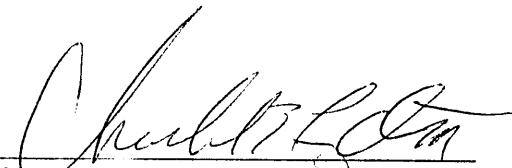
MOTION TO DISMISS APPEAL

COMES NOW, the attorney for the Appellant and would request this Honorable Court to dismiss his appeal based on the following:

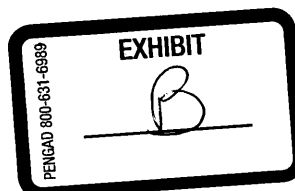
Attorney for the Appellant found no issues of merit to appeal on and filed the Appellant's Brief and Motion for Leave to Withdraw as Council on January 4, 2002. Appellant then filed a letter with the Alabama Court of Criminal Appeals on January 14, 2002, a copy which is attached hereto and on the final page has indicated that he would like to stop his appeal.

Therefore, the attorney for the Appellant would request this Honorable Court to dismiss his appeal based on the Appellant's request.

Done this 25 day of January, 2002.


Charles E. Floyd III
Attorney for Appellant

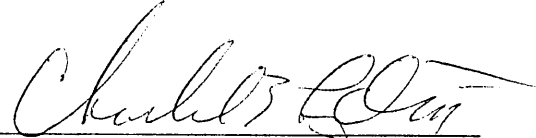
FLOYD & FLOYD
Attorneys at Law
1000 14th Street
P.O. Box 759
Phenix City, AL 36868-0759
334/297-3378



CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Brief on Bill Pryor, Esq., Attorney General, State of Alabama, 11 S. Union Street, Montgomery, Alabama 36130, and Mr. Roy Davied Heath, Defendant, Fountain Correctional Facility, P.O. Box 3800, Atmore, AL 36503, by U.S. mail, postage prepaid and properly addressed to them.

Done this 25 day of January, 2002.


Counsel for Defendant

00-2143

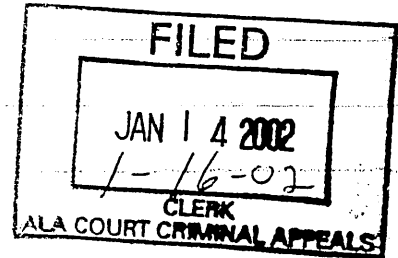
State of ALABAMA

IN the Circuit Court for INMATE Roy David
Heath

Roy DAVID Heath

V

State of ALABAMA



I INMATE Roy David Heath dont understand
how to put a Brief or motions togeather, all
I daz understand is being trufull,
Im going over law book's and need more
time to try to understand the law,
Due to my Counsels withdraw

Conclusion

as appears to me, my Attorney would not
write me or talk to my wife about views
only I had none and had no chance.
Im not a Attorney but as I see things
is any good attorney should see the errors
in this case, I dont understand why I
cant get good counsel in ways but I was
told something by my last counsel and
Im starting to understand, as I go on
I will say what that was but for now
I try to submite the errors,

R. Green threatening me, and on my Transcript or index I don't see where Honorable George R. Green told me. It would not be good on my behalf to appeal this case.

also I now about my attorney John Britten I can't say too much about because my Attorney Charles E. Floyd III told my wife I can't talk about what's not on the Transcript, I don't know if I really can't or not, because so far I don't feel like anyone is being honest to me, but Mr Britton told me and my wife, That there was someone high up that what's me in jail, and told me if I didn't do as he said I would get life in jail just as Mr Charles E. Floyd III is saying to my wife, I know if the truth could be made I could get out of CC-01-03C also CC-01-36 - Count 2, but I can't get help with this Appeal, all I get is a threat of life in jail.

also on my Action Summary CC01-030 I found 3 charges, unlawful Distrib, contr charge 01, Driving while Revoke charge 04, Reckless Endangerment charge 05 I have never seen or heard of charges 04 or 05 until now, if I would of know

of these charges I would of never made a plea, ALSO on my Reporter transcript order on page 76, Ccount 1, CCOI-036 and Count 2, CCOI-036 are ran concurrent with CCOI-030. In what any Attorney should know in the law book I'm reading, you can't run, 13A-12-250 or 13A-12-270 concurrent with CCOI-030 also there are other things to bring up but as I see things and how things are going, This is a lost case, I just wish I could meet one Attorney that's truthful and honest, This is the same thing that happ last time, to me, but atleast I did do more this time but not as it looks, Mr Lane w. man.

I'm being truthful with this, I would like to tell you the hole Drama, There is a little I would like to say. and That's how I feel, I'm hurt fisicly and mintaly, I got my neck broke in two places and workers comp would not pay me, that got alot to do with this case, as for the mintal part of this, is my mom got hurt in a car wreck bad, my Dad got hurt but not as bad, and after 37 years of my life I found the right woman for

me, These people need me so bad
as for my wife I see, if I stay to
long away things will change with her
I know she wouldnt want to but lifes
hard, as for my mom she hurts in many
ways, I cant see her, she cant come
this far, I know I did wrong but I
dont understand about all this time I
got, I can handle being threatened and
set up by a so called friend also being
kicked up for a while, all I ask for, is
a chance at this life I got now,
Mr mann, Im also not a Quiter but
as I see things, I have no choice
but Quit this appeal, I dont know how to
file this

I Roy D. Heath would like to stop
this appeal,

IF you can do so please do what
is needed, also take in that I need to
be home soon, Im in need so much and
Im also willing to pay all I can pay to
make it home soon. Im a hard worker.

Thank

Roy D. Heath

Rev David Heath

AIS # 217344

Room 6 Bed 30

Fountain 3600

Atmore AL

36503



Court of Criminal Appeals

State of Alabama

300 Dexter Avenue

P O Box 301555

Montgomery AL 36130-1555

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